

REMARKS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-5, 7-11, and 13-17 are presently active in this case, Claims 15-17 having been added by way of the present Amendment.

In the outstanding Official Action, Claims 1-5, 7-11, 13, and 14 were rejected under 35 U.S.C. 102(e) as being anticipated by Okimoto et al. (U.S. Patent No. 6,449,055). For the reasons discussed below, the Applicant traverses the anticipatory rejection.

In the Office Action, the Okimoto et al. reference is indicated as anticipating each of Claims 1-5, 7-11, 13, and 14. However, the Applicant notes that a claim is anticipated only if each and every element as set forth in the claims is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). As will be demonstrated below, the Okimoto et al. reference clearly does not meet each and every limitation of the independent Claims 1, 10, and 11.

The Applicant submits that the arguments presented in the Amendment filed on December 12, 2003, are relevant to the present rejection. All of the portions of the '694 Okimoto et al. reference (U.S. Patent No. 6,310,694) cited in the Official Action dated September 12, 2003, which were addressed in the Amendment filed on December 12, 2003, are present in the '005 Okimoto et al. reference and relied upon in the outstanding Official Action.

Claim 1 recites, among other features, a printer driver having a function to convert the

document data provided by said application program into a data format processible by an application program of an electronic mail receiver and a function to transmit the converted document data via electronic mail. The significance of this feature lies in that according to Applicant's invention, the printer driver has a function to convert document data into a data format processable by an application program of an electronic mail receiver, other than PDL, so as to send the converted document data via email. Thus, an application, receives the converted document data via email, and can apply a process other than a printing process to the document data without changing the format. For example, the document data can be displayed on a display unit without changing the format of the document data received via email.

The outstanding Official Action relies on column 10, lines 17-31 of the '055 Okimoto et al. reference, which was also present in the '694 Okimoto et al. reference in column 9, lines 5-27. However, as noted with regard to the '694 Okimoto et al. reference, the '055 Okimoto reference describes that "the printer driver process of FIG. 4 creates print data in the same format (page description language, for example) as required to print on the transmitter's side." (Column 26, lines 59-62.) Thus, the format of the print data in the above description must be the Print Description Language (PDL) since it is clearly recited that the format is for requesting printing.

Additionally, the '055 Okimoto et al reference at column 27, lines 1-6 merely discloses a PDL type printer of a remote user. Additionally, if any type is not registered for the remote user, the predetermined Page Description Language (PCL in this example), or character data in the original data is converted into print data, as evident from the discussion

at column 27, lines 36-39. The Okimoto et al reference provides no disclosure of any formats other than PDL and does not suggest that other formats can be practiced.

In light of the above discussion, it is respectfully submitted that the '055 Okimoto et al reference discloses nothing about formats other than the Page Description Language (PDL). And in no way anticipates the presently claimed invention which explicitly is limited to a data format processible by an application program of an electronic mail receiver. In view of this distinction, it is respectfully submitted that amended Claim 1 patentably defines over the '055 Okimoto et al reference, as do Claims 2-5, 7-9 and 14 dependent on Claim 1.

Claims 10 and 11 also refer to a data format processible by an application program of an electronic mail receiver, and for the same reasons as above noted with respect to Claim 1, Claims 10, 11 and dependent Claim 13 are also believed to be allowable.

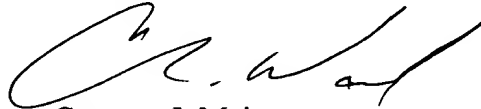
Newly added Claims 15-17 are considered allowable as they recite features of the invention that are neither disclosed nor suggested by the references of record. Claim 15 recites that the application program is configured to allow selection of the data format into which the document data is converted. (See, e.g., Figure 10 and pages 24-25 of the specification.) Claim 16 recites a step of selecting the predetermined data format into which the document data is converted using the application program. And Claim 17 recites a fourth program code means for selecting the data format into which the document data is converted using the first program code means. The present invention advantageously allows the user to select the data format using the application program. The Applicant submits that the '055 Okimoto et al. reference does not disclose such features.

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Consequently, in view of the above discussion, it is respectfully submitted that the present application is in condition for formal allowance and an early and favorable reconsideration of this application is therefore requested.

Respectfully Submitted,

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A handwritten signature in black ink, appearing to read 'G. J. Maier', written over a horizontal line.

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